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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,	)	No. 4-11-70769-MAG
	)	
14 Plaintiff,	)	STIPULATION AND ORDER TO
	)	CONTINUE STATUS CONFERENCE
15 v.	)	AND EXCLUDE TIME UNDER THE
	)	SPEEDY TRIAL ACT
16 GERMAINE RAMSEY,	)	
	)	
17 Defendant.	)	
_____	)	

18  
19 IT IS HEREBY STIPULATED AND AGREED between the plaintiff through its  
20 attorney, Joshua Hill, and the defendant through her attorney, Elena Condes, that the preliminary  
21 hearing or arraignment presently set for September 21, 2011, be continued to October 18, 2011  
22 at 9:30 a.m. Defense counsel requires additional time to review the produced discovery and  
23 conduct necessary investigation. The parties agree that the delay is not attributable to lack of  
24 diligent preparation on the part of the attorney for the government or defense counsel. For these  
25 reasons, the parties request that time under the Speedy Trial Act be excluded based on the  
26 defense's need for reasonable time necessary for effective preparation, taking into account the  
27 exercise of due diligence. Defendant also agrees to waive the timing of a preliminary hearing or  
28 indictment under 18 U.S.C. § 3161(b) and Federal Rule of Criminal Procedure 5.1. The parties

STIPULATION AND ORDER  
No. 4-11-70769-MAG

1 agree that the waiver covers all time between the date of this stipulation and October 18, 2011.

2 IT IS SO STIPULATED:

3 Dated: September 19, 2011

\_\_\_\_\_  
/S/  
ELENA CONDES  
*Attorney for Defendant*

6 Dated: September 19, 2011

\_\_\_\_\_  
/S/  
JOSHUA HILL  
Assistant United States Attorney

9 **ORDER**

10 GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the hearing in this  
11 matter now scheduled for September 21, 2011 is hereby rescheduled for October 18, 2011 at  
12 9:30 a.m. before Magistrate Judge Laurel Beeler. Based upon the representation of counsel and  
13 for good cause shown, the Court also finds that failing to exclude the time between September  
14 19, 2011 and October 18, 2011 would unreasonably deny the defense the reasonable time  
15 necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C.  
16 § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the  
17 time between September 19, 2011 and October 18, 2011 from computation under the Speedy  
18 Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore,  
19 it is hereby ordered that the time between September 19, 2011 and October 18, 2011 shall be  
20 excluded from computation under the Speedy Trial Act. 18 U.S.C. §§ 3161(h)(7)(A) and  
21 (B)(iv). In addition, upon consent of defendant, the timing of a preliminary hearing or  
22 indictment is waived pursuant to 18 U.S.C. § 3161(b) and Federal Rule of Criminal Procedure  
23 5.1. The waiver covers all time between September 19, 2011 and October 18, 2011.

25 DATED: September 19, 2011

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HONORABLE DONNA M. RYU  
United States Magistrate Judge